The Petitioners herein request a variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Sections 1802.3.C 1 and 301.1 of

FINDINGS OF FACT AND CONCLUSIONS OF LAW

the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an open carport with a side yard setback of 1 ft. 10" in lieu of the required 7-1/2 ft., as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for a Residential Variance in the community of Aero Acres, the subject property, known as 29 Dihedral Drive, lot no. 15, zoned D.R. 5.5, having been posted and there being no request for a public hearing, this matter is ready for determination. The Petitioners are requesting a variance, along the east side of the house, to permit an open carport with a side yard setback of 1 ft. 10" in lieu of

The Petitioners have filed the supporting affidavits, as required by Section 22-26 (b)(1) of the Baltimore County Code. There is evidence in the file or record to indicate that the variance would adversely affect the health, safety and/or general welfare of the public and should, therefore, the relief should not be granted.

In the opinion of the Zoning Commissioner, it is established that the information and affidavits provide sufficient evidence and facts that the proposed variance request would comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in a practical difficulty and/or unreasonable hardship upon the Petitioners. Based upon the information available, the relief should be granted.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14 day of March, 1991 that the Petition for a Zoning Variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Sections 1802.3.C 1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an open carport with a side yard setback of 1 ft. 10" in lieu of the required 7-1/2 ft., in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein.

> 1. The Petitioners may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their cwn risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. There shall be no enclosing of the north, south or east side of this carport with either permanent walls, screening or any other type of structure. The carport shall not be enclosed to create additional living space.

Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

cc: Peoples Counsel

Baltimore County Government Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

March 13, 1991

Mr. and Mrs. Vergil Woodie 29 Dihedral Drive Baltimore, Maryland 21220

> RE: Petition for Residential Zoning Variance Case No. 91-270-A

Dear Mr. and Mrs. Woodie:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

JRH: mmn encl.

cc: Peoples Counsel

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

71/2 Ft.

the required 7-1/2 ft.

91-306-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 301.1 to permit ancarport with a side yard setback of lft. 10" in lieu of the required

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason: (indicate hardship or practical difficulty)
(1) Strict compliance would require the applicant to have a 5ft wide carport which would not

(2) To grant the variance would be in conformity with other carports in the immediate vicinity of the applicant's home

(3) Granting of the variance will still provide a side setback and protect the public safety

(4) Petitioners neighbor to the carport side of Petitioners' property consents to the carport Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

	I/We do solemnly declare a penalties of perjury, that owner(s) of the property a this Petition.	t I/we are the legal subject of new 12271
Contract Purchaser:	Legal Owner(s):	B.F.
Type or Print Name)	Vergil L. Woodie (Type on Print Name))
Bignature	Signature / Nooth Grace E. Woodie	
ddress	(Type of Print Name)	Wivele
Sity/State/Zip Code	Signature	+ -
Attorney for Petitioner:	·	
Seymour R. Goldstein	29 Diehedral Drive	682-5853
(Type or Print Name)	Address Phone Baltimore, Maryland 21220	
Signature	City/State/Zip Code	 -
20 W. Chase Street, Baltimore, Md. 21201	Name, eddress and phone number of 1	egal owner, contract
Address	purchaser or representative to be contected.	
(301) 837-3380	Vergil L. Woodie & Grace Woodie	
Attorney's telephone number	Name 29 Diehedral Drive, Ba	
	Address	Phane

ORDERED by the Zoning Commissioner of Bultimore County, this 8th day of Feb., 19 9/, that the subject matter of this petition be posted on the property on or before the 20th day of Feb. 19 4/

ZUNING COMMISSIONER OF BALTIMONE COUNTY

A PUBLIC HEARING MAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED. IT IS FURTHER CROCKED by the Zoning Commissioner of Baltimore County, this ______ day of ______, 19 47 ... that metter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through out Beltimore County, that the property be reposted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 105, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19___, at ____ o'clock

ZONING COMMISSIONER OF BALTIFLINE COUNTY

AFFIDAVIT IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with

That the Affiant(s) does/do presently or upon settlement will reside at 29 Diehedral Drive, Baltimore, Maryland 21220

That based upon personal knowledge, the following are the facts upon which I/we base the request for for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty) (1) Strict compliance would require the applicant to have a 5ft wide carport which would not be functional (2) To grant the variance would be in conformity with other carports in the immediate vicinity of the applicant's home (3) Granting of the variance will still provide a side setback and protect the public (4) Petitioners' neighbor to the carport side of the Petitioners' property consents

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Mergy & Akroking ANT (Hapdwritten Signature)	X Hau AFFIANT (Handwritten S
ergil L. Woodie	Grace E. Woodie
ANT (Printed Name)	APPIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

Vergil L. Woodie and Grace E. Woodie

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

ZONING DESCRIPTION

-3-

Beginning at a point on the north side of Dihedral Drive which is Fifty (50) feet wide at the distance of 713.40 feet east of the centerline of the nearest improved intersecting street, Fuselage Avenue, which is fifty (50) fect wide. "Being Lot 15, Section I in the subdivision of Aero Acres as recorded in Baltimore County plat Book 13, Folio 139, containing 5058 square feet. Also known as 29 Dihedral Drive and located in the 15th Election District.

Location of property: N/s Dihodrol Drive, 713.4' NE/Free lage Ave

Baltimore County
Zoning Commission &
County Office Building
111 West Chesapeake Avenue

Account: R-001-6150 Number

CART MARK OF CHARGE CHECKETTE

04 A04 #0077 NICHRO

111 West Chesapeake Avenue Towson, MD 21204

887-3353

February 13, 1991

Vergil L and Grace E. Woodie 29 Diehedral Drive Baltimore, Maryland 21220

Re CASE NUMBER. 91-306-A LOCATION N/S Diebedral Drive, 713.4' NE of c/l Fuselage Avenue 29 Diehedral Drive

Dear Petitioner(s)

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before February 20, 1991. The last date (closing date) on which a neighbor way file a formal request for hearing is March 7, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reposting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your Order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

> 3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD. THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

> > Very truly yours,

G. G. Stephens (301) 887-3391

cc. Seymour R. Goldstein, Esq. 116

 Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

Seymour R. Goldstein, Esquire 20 W. Chase Street

> RE: Item No. 317, Case No. 91-306-A Petitioner: Vergil L. Woodie, et ux Petition for Residential Variance

February 25, 1991

Dear Mr. Goldstein:

Baltimore, MD 21201

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Baltimore County Government

VERGIL L. WOODIE

7. The Fire Prevention Eureau has no comments at this time.

#29 DIEEDRAL DRIVE

Pursuant to your request, the referenced property has been surveyed by this Eureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

Zoning Agenda: FEBFUARY 19, 1991

Fire Department

MARCH 7, 1991

Chairman Zoning Plans Advisory Committee

91-306-A Mark7

(301) 887-4500

JED:jw

Enclosures

cc: Mr. & Mrs. Vergil L. Woodie 29 Dihedral Drive Baltimore, MD 21220

700 East Joppa Road Suite 901 Towson, MD 21204-5500

Zoning Commissioner

Zoning Commissioner

Office of Planning and Zoning

Baltimore County Office Fuilding

Towson, MD 21204

J. Robert Haines

RE: Property Owner:

Location:

Gentleren:

JK/KEK

Item Mo.: 317

Baltimore County Government Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 8th day of February, 1990.

ZONING COMMISSIONER

#3/8

balto Md. 2/220

Jan 13, 1991

Petitioner: Vergil L. Woodie, et ux Petitioner's Attorney: Seymour R. Goldstein

91.306-A

now Jan. 13th 1991.

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

DATE: February 20, 1991

Zoning Commissioner

J. Robert Haines

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Paul Joseph Chaney, Item No. 296 Martin J. Sussman, Item No. 299 Curtis Turner, Item No. 305 Church of God at Dundalk, Item No. 313 Dale A. Poletynski, Item No. 315 Virgil L. Woodie, Item No. 317 /

In reference to the Petitioner's request, staff offers no

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEMSVAR.JL/ZAC1

1013 Cord Street



29 Dihedral - Woodie's



sake's

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO Zoning Advisory Committee DATE: February 22, 1991

FROM. Robert W. Bowling, P.E. Zoning Advisory Committee Meeting for February 19, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 296, 299, 302, 305, 312, 313, 314, 315 and 317.

For Items 300 and 316, County Review Group Comments are required

For Item 310 the previous County Review Group Comments are still applicable.

For Item 307, the previous minor subdivision comments are still applicable.

11/11

ROBERT W. BOWLING, P.E., Chief Developers Engineering Division

RWB.s

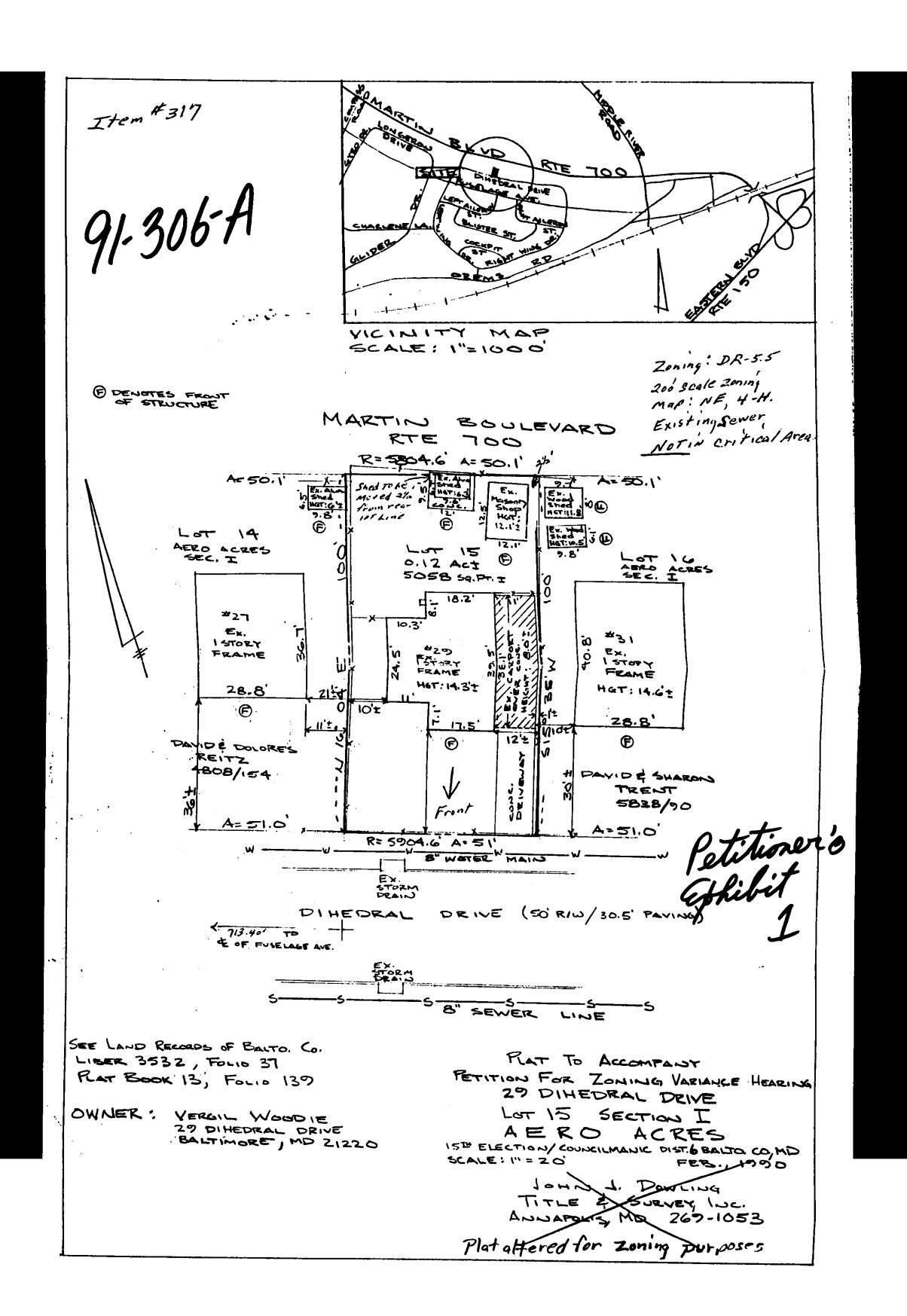
received

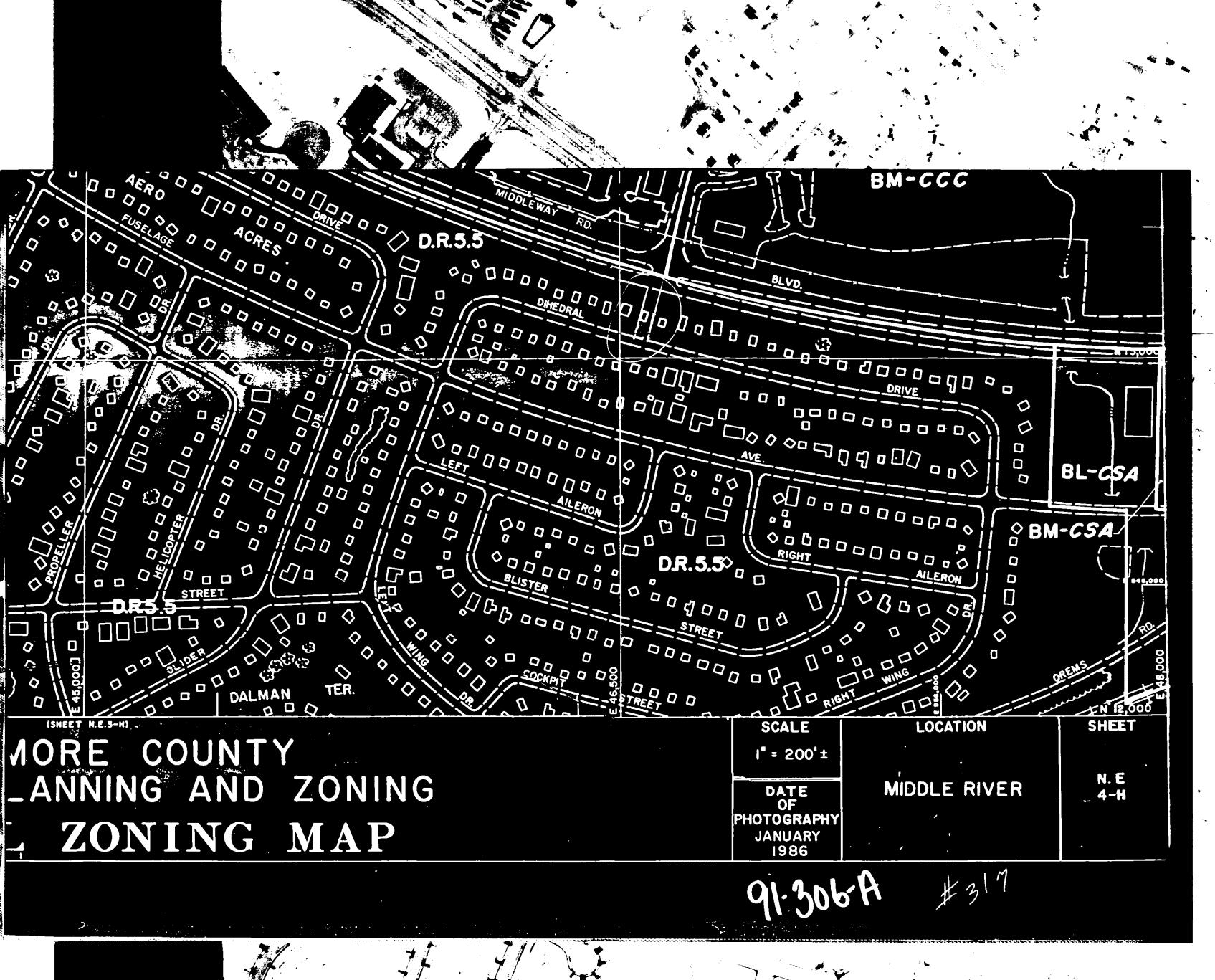
received

REVIEWER: Colt. Approved Carolic Planning Group Fire Presentation Division

DEFINITIONER'S EXHIBIT# 2

CASE#: 91-306-A 36 Dihedral Drive 41 Compass Road 1115 Fuselage Avenue 29 Dihedral - Woodie's odies







BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING PHOTOGRAPHIC MAP

|" = 200'±

DATE MIDDLE RIVER OF PHOTOGRAPHY JANUARY 1986

N. E. 4-H